



4310-2W-P

**DEPARTMENT OF THE INTERIOR**

**Office of the Special Trustee for American Indians**

**Proposed Renewal of Information Collection: OMB Control Number 1035-0003,**

**Application to Withdraw Tribal Funds from Trust Status.**

**AGENCY:** Office of the Special Trustee for American Indians, Interior

**ACTION:** Notice and request for comments.

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**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Special Trustee for American Indians, Department of the Interior, announces the proposed renewal of a public information collection required by The American Indian Trust Fund Management Reform Act of 1994, “Application to Withdraw Tribal Funds from Trust Status, 25 CFR 1200,” OMB Control No. 1035-0003, and that it is seeking comments on its provisions. After public review, the Office of the Special Trustee for American Indians will submit the information collection to Office of Management and Budget for renewal.

**DATES:** Consideration will be given to all comments received by [INSERT DATE] 60 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER.

**ADDRESSES:** Written comments and recommendations on this information collection should be sent to the Office of the Special Trustee, Office of External Affairs, Attn: Patricia Diane Johnson, 4400 Masthead St., NE, Room 323, Albuquerque, New Mexico 87109. You may also email comments to [patricia\\_d\\_johnson@ost.doi.gov](mailto:patricia_d_johnson@ost.doi.gov). Individuals providing

comments should reference OMB control number 1035-0003, “Application to Withdraw Tribal Funds from Trust Status, 25 CFR 1200.”

**FOR FURTHER INFORMATION CONTACT:** To request more information on this information collection or to obtain a copy of the collection instrument, please write to the above address.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected parties have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies an information collection activity that the Office of the Special Trustee for American Indians is submitting to OMB for renewal.

Public Law 103-412, The American Indian Trust Fund Management Reform Act of 1994, allows Indian tribes on a voluntary basis to take their funds out of trust status within the Department of the Interior (and the Federal Government) in order to manage such funds on their own. 25 CFR Part 1200, subpart B, Sec. 1200.13, “How does a tribe apply to withdraw funds?” describes the requirements for application for withdrawal. The Act covers all tribal trust funds including judgment funds as well as some settlements funds, but excludes funds held in Individual Indian Money accounts. Both the Act and the regulations state that upon withdrawal of the funds, the Department of the Interior (and the Federal Government) have no further liability for such funds. Accompanying their application for

withdrawal of trust funds, tribes are required to submit a Management Plan for managing the funds being withdrawn, to protect the funds once they are out of trust status.

This information collection allows the Office of the Special Trustee to collect the tribes' applications for withdrawal of funds held in trust by the Department of the Interior. If this information were not collected, the Office of the Special Trustee would not be able to comply with the American Indian Trust Fund Management Reform Act of 1994, and tribes would not be able to withdraw funds held for them in trust by the Department of the Interior.

## **II. Data**

(1) Title: Application to Withdraw Tribal Funds from Trust Status, 25 CFR 1200.

OMB Control Number: 1035-0003.

Current Expiration Date: November 30, 2012.

Type of Review: Information Collection Renewal.

Affected Entities: State, Local and Tribal Governments.

Estimated annual number of respondents: 1.

Frequency of response: Once per respondent.

(2) Annual reporting and record keeping burden:

Total annual reporting per respondent: 400 hours.

Total annual reporting: 400 hours.

(3) Description of the need and use of the information: The statutorily-required information is needed to provide a vehicle for tribes to withdraw funds from accounts held in trust for them by the United States Government.

## **III. Request for Comments**

The Department of the Interior invites comments on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) The accuracy of the agency's estimate of the burden of the collection and the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and,

(d) Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other collection techniques or other forms of information technology.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

Dated: May 30, 2012

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James P. Barham, Director  
Office of External Affairs  
Office of the Special Trustee for American Indians

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